

REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of December 20, 2006 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. However, the Office is expressly authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 50-0951.

Applicants wish to express their gratitude in the Office Action pointing out errors in claim 10. As of this amendment, claim 10 has been amended to correct the error and Applicants respectfully request withdrawal of the objection to this claim.

In the Office Action, claims 1-4, 8-15, 19, and 20 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,366,302 to Crosby et al. (hereinafter Crosby). Claims 5, 7, 16, and 18 were rejected under 35 U.S.C. § 103(a) as unpatentable over Crosby in view of U.S. Patent No. 6,300,967 to Wagner et al. (hereinafter Wagner). Claims 6 and 17 were rejected under 35 U.S.C. § 103(a) as unpatentable over Crosby in view of Wagner and in further view of U.S. Patent No. 6,529,218 to Ogawa et al. (hereinafter Ogawa).

Amendments to the Claims

As of this amendment, independent claims 1, 10 and 12 have been amended to further emphasize certain aspects of Applicants' invention. In particular, claims 1, 10, and 12 have been amended to emphasize that the flyover and the content page are displayed in the same display element of the GUI. Claims 1, 10, and 12 also include the further limitation that a displayed flyover is a GUI object independent of the displayed content page and that one or more flyovers are possible and can indicate that a displayed content page is scrollable in one or more directions. Furthermore, claims 2-5, 7-9, and 13-20 have been amended to maintain consistency between the claims. The claim amendments, as discussed herein, are fully supported in the Specification. (See, e.g., Specification, paragraph 0005, at page 4 and paragraph 0017, at page 7.) No new matter is introduced by the claim amendments.

Aspects of the Claimed Invention

It may be useful at this junction to reiterate certain aspects of Applicants' claimed invention. One embodiment, typified by Claim 1, as amended, is a method of indicating that a content page displayed in a display area of a graphical user interface (GUI) is scrollable in at least one direction. The method can include displaying a content page in the display area of the GUI. The method can further include determining whether any portion of the displayed content page is scrollable in at least one direction. In response to such a determination, the method can include displaying at least one flyover in the same display area that indicates at least one direction in which the content page is scrollable. In the claimed invention, any flyover displayed is a GUI object, independent of the displayed content page.

The Claims Define Over the Cited Art

As already noted, independent claims 1, 10, and 12 were deemed anticipated by Crosby. Crosby discloses a system and method for radiotelephones to efficiently display information such as lists and text fields. In particular, Crosby discloses displaying a scroll indicator in a portion of a graphical user interface (GUI) of a radiotelephone. However, Applicant respectfully submits that Crosby fails to disclose or suggest each and every element of claims 1, 10, and 12, as amended.

In the Office Action, it is asserted on page 3 that:

responsive to said determination, displaying a flyover to indicate that said content page is scrollable (column 5, lines 61 – 67), where the examiner has interpreted the "dynamic scroll indicator" to be sufficiently equivalent to a "flyover."

Applicant respectfully disagrees with this interpretation in the Office Action. The "dynamic scroll indicator" disclosed in Crosby simply refers to the property of the scroll indicator in Crosby to alter or modify its display according to the position in the content page and is unrelated to whether the scroll indicator is a "flyover" indicator or not. For example, in FIGs.

7A-7C, Crosby discloses that the progression of the display of scroll indicator and its "dynamic" changes:

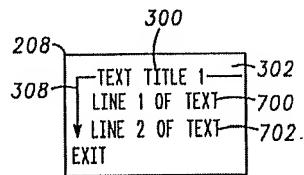


FIG. 7 A

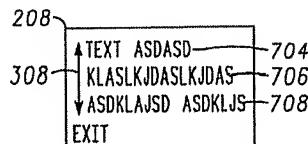


FIG. 7 B

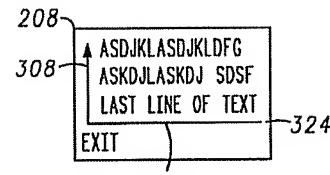


FIG. 7 C

As shown above, Crosby discloses a scroll indicator (308) having at least three forms: a starting of page form (FIG. 7A), a middle of the page form (FIG. 7B), and an end of page form (FIG. 7C). Therefore, the "dynamic" portion of the scroll indicator refers only to the changes in the scroll indicator associated with the position in the content page.

Therefore, Crosby fails to disclose or suggest that any of these forms or any other disclosed forms of the "dynamic scroll indicator" provide a "flyover" scroll indicator. That is, nowhere does Crosby disclose that the scroll indicator would overlap content in the display element of the GUI. Rather, Crosby only discloses a scroll indicator that is kept in a region of the display separate from the content page. In other words, Crosby reserves portions of the display for the inclusion of scroll indicators and other portions for the content page. As shown in the forms above, the scroll indicator is not displayed in any region of the display area of the GUI set aside for the content page. In another example, Crosby discloses an additional embodiment (FIG. 5) for the scroll indicator, but neither embodiment discloses a flyover scroll indicator.

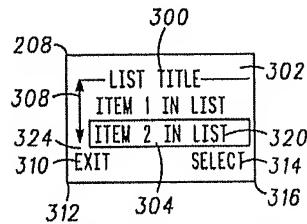


FIG. 3 B

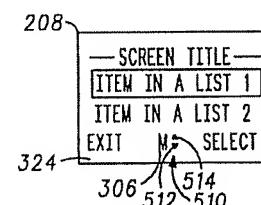


FIG. 5

In FIG. 3B, the scroll indicator (308) is disclosed as one or two sided arrow alongside the list. As previously discussed, the scroll indicator is only displayed in the side portion. In FIG. 5, the scroll indicator (510) is disclosed as arrowheads (512, 514) in a menu area of the text. In either arrangement, when and where arrowheads are present is based on the position in the content page. However, in neither embodiment does Crosby disclose that such arrowheads would be displayed on top of items in the content page, rather each type of scroll indicator is displayed in an assigned region, separate from the content page. Such an arrangement is necessary in Crosby to avoid the scroll indicator utilizing space in the display necessary for displaying content. For example, Crosby discloses in Col. 7, lines 47-60:

FIG. 5 is an example of a radiotelephone display utilizing a miniature dynamic scroll indicator. On some radiotelephone displays for non-Latin based characters, the amount of pixels per line limits the amount of graphic feedback than can be presented along a side portion of the radiotelephone display. An example of this is with Chinese characters that require 16x16 pixels per character as compared to 5x7 pixels for Latin-based characters. This makes it difficult to present a dynamic scroll indicator at the side portion of the radiotelephone display. On these types of radiotelephone displays, it is necessary to provide feedback to users that they have the ability to scroll. To compensate for those situations, the dynamic scroll indicator is a miniature dynamic scroll indicator **510**.

As shown above, Crosby discloses that rather than utilizing any space of the display for the scroll indicator, the alongside scroll indicator would be discarded in favor of the miniature scroll indicator. Therefore, Applicants respectfully submit that Crosby does not disclose that the dynamic scroll indicator is a flyover indicator. Rather Crosby discloses a display, including scroll indicators configured to obscure as little of the content page as possible. In contrast, the claimed invention provides a flyover indicator that can be positioned anywhere in the same display portion as the content page to prompt a user as to the direction of scrolling without the need to reserve portions of the display for placing scroll indicators as disclosed in Crosby.

Accordingly, Crosby, separately or in combination with any other reference of record, fails to disclose, suggest, or render obvious every feature recited in independent claims 1, 10, and 12, as amended. Applicants thus respectfully maintain that amended independent claims 1, 10, and 12 define over the cited art. Applicants further respectfully maintain that, whereas each of

Appln No. 10/237,650
Amendment dated March 20, 2007
Reply to Office Action of December 20, 2006
Docket No. BOC9-2002-0003 (295)

the remaining dependent claims depends from one of the amended independent claims while reciting additional features, dependent claims 2-9, 11, and 13-20 likewise define over the cited art.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

AKERMAN SENTERFITT

Gregory A. Nelson, Registration No. 30,577
Richard A. Hinson, Registration No. 47,652
Eduardo J. Quiñones, Registration No. 58,575
Customer No. 40987
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000

Date: March 20, 2007